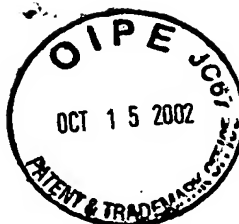


DOCKET NO.: BTGI-0003/142418



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PCT  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Peter Meyer, et al.

Serial No.: 10/088,433/0

Group Art Unit: Not Yet Assigned

Filing Date: August 13, 2002

Examiner: Not Yet Assigned

For: TARGETED GENE REMOVAL

DATE OF DEPOSIT:

October 9, 2002

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231.

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REGISTRATION NO.: 38,325

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).



In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first office action after the filing of request for continued examination under §1.114, no additional fee is required.

- ☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐the first or ☐second After Final Submission, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or before an action that otherwise closes prosecution in the application, therefore:
- ☐ Certification in Accordance with §1.97(e) is attached; or
- ☐ The fee of \$180.00 as set forth in §1.17(p) is attached.
- ☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); and the submission fee of \$180.00 as set forth in §1.17(p).
- ☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- ☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.


- ☐ In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:
- ☐ Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- ☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

This form is submitted in duplicate.

There are no listed references which are not in the English language.

Date: *October 9, 2002*

  
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<b>Form PTO-1449 Modified</b>  List of Patent and Publications Cited by Applicant (Use several sheets if necessary)  U.S. Department of Commerce Patent and Trademark Office		Docket No. <b>BTGI-0003/142418</b>	Serial No. <b>10/088,430</b>
		Applicant <b>Peter Meyer, et al.</b>	
		Filing Date <b>August 13, 2002</b>	Group <b>Not Yet Assigned</b>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	1	Dale, P.J. "Spread of engineered genes to wild relatives", <i>Plant Physiol.</i> , <b>1992</b> , 100, 13-15	
	2	Hoffman, T., et al. "Foreign DNA sequences are received by a wild-type strain of <i>Aspergillus niger</i> after co-culture with transgenic higher plants", <i>Curr Genet</i> , <b>1994</b> , 27, 70-76	
	3	Gressel, J. "Indiscriminate use of selectable markers-sowing wild oats?", <i>Tibtech</i> , <b>1992</b> , 10, 382	
	4	Matzke, M.A. et al., "Differential inactivation and methylation of a transgene in plants by two suppressor loci containing homologous sequences", <i>Plant Mol. Biol.</i> , <b>1991</b> , 16, 821-830	
	5	DeBlock, M. et al., "Two T-DNAs co-transformed into <i>Brassica napus</i> by a double <i>Agrobacterium</i> infection are mainly integrated at the same locus", <i>Theor. Appl. Genet.</i> , <b>1991</b> , 82, 257-263	
	6	Yoder, J.I. et al., "Transformation systems for generating marker-free transgenic plants", <i>Bio/Technology</i> , <b>1994</b> , 12, 263-267	
	7	Puchta, H. et al. "Somatic intrachromosomal homologous recombination events in population of plant siblings", <i>Plant Mol Biol.</i> , <b>1995</b> , 28, 281-292	
	8	Konz, C. et al., "The promoter of T1-DNA gene 5 controls the tissue-specific expression of chimeric genes carried by a novel type of <i>Agrobacterium</i> binary vector", <i>Mol. Gen. Genet.</i> , <b>1986</b> , 204, 383-396	
	9	Depicker, A.G. et al., "A negative selection scheme for tobacco protoplast-derived cells expressing the T-DNA gene 2", <i>Plant Cell Reports</i> , <b>1988</b> , 7, 63-66	
	10	Chalfie, M. et al., "Green fluorescent protein as a marker for gene expression", <i>Science</i> , <b>1994</b> , 263, 802-805	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	

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<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	<b>11</b>	Velten, J. et al., "Isolation of a dual plant promoter fragment from Ti plasmid of <i>Agrobacterium tumefaciens</i> ", EMBO J., <b>1984</b> , 3, 2723-2730	
	<b>12</b>	Koncz, C. et al., "Specialized vectors for gene tagging and expression studies", <i>Plant Molecular Biology Manual</i> <b>B2</b> , <b>1994</b> , 1-22	
	<b>13</b>	Horsch, R.B. et al., "A simple and general method for transferring genes into plants", <i>Science</i> , <b>1985</b> , 227, 1229-1231	
	<b>14</b>	Dellaporta, S.J. et al., "A plant DNA miniprep", <i>Plant Mol. Biol. Rep.</i> , <b>1983</b> , 1, 19-21	
	<b>15</b>	Van Blokland, R. et al., "Developmental abnormalities associated with deoxyadenosine methylation in transgenic tobacco", <i>The Plant Journal</i> , <b>1998</b> , 15, 543-551	
	<b>16</b>	Koes, R.E. et al., "The chalconesynthase multigene family of <i>Petunia hybrida</i> (V30): sequence homology, chromosomal localization and evolutionary aspects", <i>Plant Molecular Biology</i> , <b>1987</b> , 10, 159-169	
	<b>17</b>	Gardner, J.F. et al., "Role of <i>Escherichia coli</i> IHF protein in lambda site- specific recombination", <i>J Mol Biol.</i> , , <b>1986</b> , 191, 181-189	
	<b>18</b>	Yang, C. et al., "The interaction of E.coli IHF protein with its specific binding sites", <i>Cell</i> , <b>1989</b> , 57, 869-880	
	<b>19</b>	Craig, N.L. et al., "E.coli Integration Host Factor Binds to Specific Sites in DNA", <i>Cell</i> , <b>1984</b> , 39, 707-716	
	<b>20</b>	Weisberg, R.A. et al., "Site-specific recombination in phage lambda. In <i>Lambda II</i> , (eds. Hendrix, R.W., Roberts, J.W., Stahl, F.W. & Weisberg, R.A.) <b>1983</b> , 211-250(Cold Spring Harbor, New York)	
<b>EXAMINER</b>		<b>DATE CONSIDERED</b>	

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<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>			
	<b>21</b>	Galliano, H. et al., "The transformation booster sequence is a retrotransposon derivative that binds to the nuclear scaffold", <i>Mol. Gen Genet</i> , <b>1995</b> , 247, 614-622	
	<b>22</b>	Urwin, .E. et al., "Engineered oryzacystatin-I expressed in transgenic hairy roots confers resistance to <i>Globodera pallida</i> ", <i>Plant J</i> , <b>1995</b> , 8, 121-131	
	<b>23</b>	Puchta, H. et al., "Substrate specificity of plant recombinases determined in extrachromosomal recombination systems in <i>Homologous recombination and gene silencing in plants</i> (ed Paszkowski, J) 123-155 (Kluwer Academic Publishers, Dordrecht, <b>1994</b> )	
	<b>24</b>	Ramanathan, B. et al., "Enhanced DNA repair synthesis in hyperacetylated nucleosomes", <i>J Biol Chem.</i> , <b>1989</b> , 264, 11026-11034	
	<b>25</b>	Takano, M. et al., "The structures of integration sites in transgenic rice", <i>Plant J</i> , <b>1997</b> , 11, 353-361	
	<b>26</b>	Drlica, K. et al., "Histone-like proteins in bacteria", <i>Microbiol. Reviews</i> , <b>1987</b> , 51, 301-319	
	<b>27</b>	Peredelchuk, M.Y. et al., "A method for construction of E. coli strains with multiple DNA insertions in the chromosome", <i>Gene: An International Journal on Genes and Genomes</i> , <b>1997</b> , 187(2), 231-238	
	<b>28</b>	Zubko, E. et al., "Intrachromosomal recombination between attP regions as a tool to remove selectable marker genes from tobacco transgenes", <i>Nature Biotechnology</i> , <b>2000</b> , 18(4), 442-445	
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<b>U. S. PATENT DOCUMENTS</b>							
<b>Examiner Initial</b>		<b>Document No.</b>	<b>Date</b>	<b>Name</b>	<b>Class</b>	<b>Subclass</b>	
<b>FOREIGN PATENT DOCUMENTS</b>							
<b>Examiner Initial</b>		<b>Document No.</b>	<b>Date</b>	<b>Country</b>	<b>Translation YES      NO</b>		
	<b>29</b>	WO 01/07572	02/01/01	PCT			
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